

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**PATTY BEALL, MATTHEW
MAXWELL, TALINA MCELHANY AND
KELLY HAMPTON, individually
and on behalf of all other similarly situated;**

Plaintiffs, § 2:08-cv-422 TJW

**TYLER TECHNOLOGIES, INC. AND
EDP ENTERPRISES, INC.
Defendants.**

2:08-cv-422 TJW

DEFENDANTS' UNOPPOSED REQUEST FOR ORAL ARGUMENT

Defendants Tyler Technologies, Inc. and EDP Enterprises, Inc. (collectively “Tyler”) file this Unopposed Request for Oral Argument on Tyler’s motion to decertify this case as a collective action under Section 216(b) of the Fair Labor Standards Act (the “FLSA”).

This Court previously granted Plaintiffs' motion for conditional certification and the parties proceeded to the discovery phase of the lawsuit. The parties recently completed briefing on Tyler's motion for decertification. Because Tyler's motion for decertification raises complex legal and factual issues, Tyler requests the Court schedule oral argument at a date of its choosing. Counsel for Tyler has communicated with counsel for Plaintiffs, who indicated she does not oppose Tyler's request for oral argument.

WHEREFORE, Tyler respectfully requests the Court enter an order granting its request for oral argument and scheduling oral argument on Tyler's motion for decertification at a date of the Court's choosing, and any other relief, at law or in equity, to which the Court finds Tyler justly entitled.

Respectfully submitted:

/s/ Paulo B. McKeeby _____

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CERTIFICATE OF CONFERENCE

On November 29, 2010, counsel for Defendants conferred with counsel for Plaintiffs regarding the contents of this request. Plaintiffs do not oppose this request.

/s/ Paulo B. McKeeby

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing has been served via electronic mail on this 29th day of November, 2010, as follows:

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